

(ORDER LIST: 524 U. S.)

MONDAY, JUNE 22, 1998

CERTIORARI -- SUMMARY DISPOSITION

97-1113 AMOS, GRANVILLE, ET AL. V. MD DEPT. OF PUB. SAFETY

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fourth Circuit for further consideration in light of *Pennsylvania Department of Corrections v. Yeskey*, 524 U. S. ____ (1998).

97-5460 APKER, GARY V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *Hohn v. United States*, 524 U. S. ____ (1998).

ORDERS IN PENDING CASES

M-81 RAYMOND E. KESSLER V. BROWN & WILLIAMSON, ET AL.

M-84 CITY OF SANTA ANA V. JESS HERNANDEZ, ET AL.

M-85 PHONOMETRICS, INC. V. NORTHERN TELECOM, INC., ET AL.

The motions to direct the Clerk to file petitions for writs of certiorari out-of-time are denied.

96- 8732 EDWARDS, VINCENT, ET AL. V. UNITED STATES

The motion of petitioners to waive \$2,500 fee
limitation under the Criminal Justice Act is denied.

CERTIORARI GRANTED

97- 303 HUMANA INC., ET AL. V. FORSYTH, MARY, ET AL.

97- 1704 ORTIZ, ESTEBAN, ET AL. V. FIBREBOARD CORP., ET AL.

97- 1709 KUMHO TIRE CO., ET AL. V. CARMICHAEL, PATRICK, ET AL.

The petitions for writs of certiorari are granted.

CERTIORARI DENIED

97- 144 PEARSON, STEVE V. HINES, GARY DALE

97- 218 LARSEN, MD INS. COMM. V. AMER. MED. SECURITY, ET AL.

97- 686 WILSON, GOV. OF CA, ET AL. V. ARMSTRONG, JOHN, ET AL.

97- 795 PINAL CREEK GROUP, ETC. V. NEWMONT MINING CORP., ET AL.

97- 1399 BLUMENTHAL, ATTY. GEN OF CT V. PHILIP MORRIS, INC., ET AL.

97- 1427 JUDICIAL COUNCIL OF 5TH CIR. V. McBRYDE, JUDGE, USDC ND TX

97- 1451 NATL. ASSN. OF HOME BUILDERS V. BABBITT, SEC. OF INTERIOR

97- 1488 ZERAN, KENNETH M V. AMERICA ONLINE, INC.

97- 1514 INNER CITY PRESS, ET AL. V. BD. OF GOV., FED. RESERVE

97- 1517 McCLATCHY NEWSPAPERS, INC. V. NLRB

97- 1543 LEFCOURT, GERALD B. V. UNITED STATES

97- 1550 ROJAS, GUADALUPE V. FITCH, LAWRENCE, ET AL.

97- 1641 UNITED STATES V. MESSINO, PAUL, ET AL.

97- 1660 MANN, DANNY, ET UX. V. MD HWY. & TRANS. COMM.

97- 1677 JOOS, DAN V. JOOS, PIPER

97- 1708 NAKAMURA, BRUCE RYAN V. CHUN, THEODORE, ET AL.

97-1710 BIOFILM, INC., ET AL. V. BOYNTON, CHARLES, ET AL.
97-1714 COATES, THEODORE V. SEATON, KENNETH
97-1718 MOSS, MARILYN V. GARRITY, PEGGY, ET AL.
97-1719 RHETT, DEBORAH V. CARNEGIE CENTER ASSOCIATES
97-1724 BARKER, JAMES V. LEEDS, MARY, ET AL.
97-1728 SALGUERO, STEVEN J. V. CALIFORNIA
97-1730 DEER PARK INDEPEND. SCH. V. HARRIS CTY. DIST., ET AL.
97-1731 BOWEN, GARY V. OISTEAD, KEITH, ET AL.
97-1738 MAY, JOAN, ET AL. V. MOUNTAIN VILLAGE, CO
97-1750 BRYANT, WARD V. CADDO PARISH SCH. BD.
97-1755 COFFEY, THOMAS V. COLLESTER, JUDGE, SUPER. CT.
97-1757 MOORE, LAWRENCE V. KEEP, JUDITH, ET AL.
97-1761 FEDERATION OF CT TAXPAYER V. BURNHAM, TREASURER OF CT
97-1762 RAMIREZ, MARIA GRACIELA V. TEXAS, ET AL.
97-1766 JAKOBY, RUTH V. UNITED STATES
97-1767 CARLYLE, WILLIAM V. SAINT-EVENS, ANGUS, ET AL.
97-1771 CONNOR, JOHN V. FLYNN, BERNICE
97-1775 LU, FRIEDRICH V. CHRISTIANI, DAVID, ET AL.
97-1776 PRUITT, CHERYL, ETC. V. WACO INDEP. SCH. DIST.
97-1778 SAWCHYN, IVAN V. SCOTTSDALE INS. CO., ET AL.
97-1788 DOAKES, JOE V. UNITED STATES
97-1797 AB, OY PARTEK V. BOONE, ANNABELLE, ET AL.
97-1806 KRAIN, LAWRENCE V. IL DEPT. OF PROF. REG.
97-1822 BROWN, ERNEST V. PLAUT, WILLIAM, ET AL.
97-1842 DOYLE, LINDA V. JEFFERSON CTY., ET AL.
97-1845 SANDERS, THOMAS M V. UNITED STATES
97-1849 KLOPP, ROBERT V. UNITED STATES, ET AL.

97-1852 SCHEUMANN, ARNOLD V. UNITED STATES
97-1854 PIERSON, JOAN GODWIN V. WILSHIRE TERRACE CORP.
97-1860 KEARNS, ROBERT W. V. WOOD MOTORS, INC., ET AL.
97-1861 GIAIMO, ANTHONY, ET UX. V. UNITED STATES
97-1871 WHATLEY, ROCHELLE K. V. UNITED STATES
97-1901 IN RE GWEN CARANCHINI
97-1903 SUDWISHER, ALANA V. ESTATE OF HOFFPAUIR, ET AL.
97-6467 SPRUILL, LEON G. V. UNITED STATES
97-6915 ALLAH, LATIK V. UNITED STATES
97-7373 EPPS, CLEMENT B. V. WEST, SEC. OF VA
97-7418 HAMILTON, WILLIAM V. UNITED STATES
97-7956 THOMAS, WAYNE P. V. UNITED STATES
97-8143 WASHINGTON, ERROL E. V. UNITED STATES
97-8279 TERRY, LEWIS C. V. UNITED STATES
97-8364 HALL, LEROY V. TENNESSEE
97-8447 YOUNG, JEFFREY V. UNITED STATES
97-8694 SINN, GARY A. V. RATELLE, WARDEN, ET AL.
97-8695 SIKORA, MATTHEW J. V. HIGLEY, ASSOC. WARDEN
97-8712 MOORE, WALTER J. V. GRIESA, THOMAS F., ET AL.
97-8715 NOCON, JOSE T. V. LANDRESS, SUPT., AVON PARK
97-8721 PARKS, DARNELL R. V. RIVERS, WARDEN
97-8724 ALLEN, RUFUS E. V. STEWART, DIR., AZ DOC
97-8729 WOOD, THOMAS W., ET AL. V. CALIFORNIA
97-8733 SEATON, PARNELL V. MICHIGAN
97-8738 HILLIARD, DAVID L. V. KAISER, STEVE, ET AL.
97-8741 WESLEY, ROSITA B. V. WESLEY, CLARENCE G.
97-8754 PERCIVAL, LEON V. STINE, WARDEN

97-8757 BROWN, SHERWOOD V. SAN DIEGO POLICE DEPT.
97-8758 BROWN, SHERWOOD V. SUPERIOR COURT OF CA
97-8759 JONES, DONALD V. PA BD. OF PROBATION, ET AL.
97-8760 MURILLO, GONZALO V. TERHUNE, DIR. , CA DOC
97-8762 WILSON, AUDREY V. BLACKWELL, ADM R, EDNA MAHAN
97-8763 WATSON, REAGAN D. V. TEXAS
97-8768 SUTHERLIN, D' ELEGANCE D. V. MINNESOTA
97-8772 SANDERS, NORRIS D. V. FLYNN, ROBERT P. , ET AL.
97-8775 JACKSON, TERRY M V. LeBLANC, WARDEN
97-8787 CYARS, AARON V. MICHIGAN
97-8790 COLBERT, MICHAEL V. INOVA HEALTH CARE SERVICES
97-8804 DE LA CRUZ, JOSE E. V. JOHNSON, DIR. , TX DCJ
97-8806 JACKSON, JAMES V. WEST VIRGINIA, ET AL.
97-8811 MARTINEZ, VINCENT T. V. MOORE, DIR. , SC DOC, ET AL.
97-8813 MAYS, RUBY, ET AL. V. DAYTON, OH, ET AL.
97-8829 KILGORE, BRUCE V. BOWERSOX, SUPT. , POTOSI
97-8852 ORTIZ, MANUEL A. V. LOUISIANA
97-8859 BEVERLY, HOWARD V. OHIO
97-8865 HOOPER, MICHAEL E. V. OKLAHOMA
97-8868 FLORES, JOSE L. V. GARCIA, WARDEN
97-8873 HUNTER, MICHAEL A. V. SOUTH CAROLINA, ET AL.
97-8874 DREHER, JOHN W. V. NEW JERSEY
97-8883 KEREKES, LES V. APFEL, COMM R, SOCIAL SEC.
97-8904 TROBAUGH, CHARLES A. V. IOWA
97-8915 PAYNE, HENRY L. V. FLORIDA
97-8920 WILKERSON, J. R. vs. TUTT, A. , ET AL.
97-8923 MINER, ANTHONY V. MISSOURI

97-8932 BARBIR, RAJKO V. WHITE, WARDEN
97-8935 BUCK, CRAIG V. BOEING CO.
97-8936 BYRD, HADDRICK V. GILLIS, SUPT. , ET AL.
97-8943 HAROLD, MICHAEL V. SINGLETARY, SEC. , FL DOC
97-8944 DAY, BRUCE V. WALKER, WARDEN
97-8950 SWINNEY, ANDRE L. , ET AL. V. CALIFORNIA
97-9004 SWINICK, FRANCES V. ROSEN, FRED
97-9017 WILSON, LARRY K. V. BURTON, WARDEN
97-9022 LAESSIG, JOHN V. PHILADELPHIA, PA
97-9073 THOMAS, DAN V. JOHNSON, DIR. , TX DCJ
97-9075 BOYD, DANNY V. OREGON
97-9086 DIACONU, EUFROSINA V. DEFENSE LOGISTICS AGENCY
97-9089 STEELE, CHARLES E. V. UNITED STATES
97-9094 DEHLER, LAMBERT V. SCHOTTEN, WARDEN
97-9105 REYNOLDS, HARLEY V. UNITED STATES
97-9113 RIEBOLD, ELBERT M V. UNITED STATES
97-9142 GAY, ROYCE V. UNITED STATES
97-9147 SENTENN, WALTER L. V. UNITED STATES
97-9148 LLOYD, MARIO, ET AL. V. UNITED STATES
97-9151 WAYNE, BRUCE V. UNITED STATES
97-9152 ZARAGOZA, SERGIO V. UNITED STATES
97-9153 VALLEJO, RICHARD L. V. UNITED STATES
97-9156 JAMES, LEE R. V. UNITED STATES
97-9164 WHATLEY, J. VICTOR V. UNITED STATES
97-9165 BARTLEY, MARK D. V. UNITED STATES
97-9173 WOODRUFF, SHERRY M V. UNITED STATES
97-9180 CARTER, CLIFTON A. V. UNITED STATES

- 97-9181 BIERI, LEONARD V. UNITED STATES
97-9184 HOOKER, RODNEY L. V. UNITED STATES
97-9187 HOBBS, JOSEPH R. V. UNITED STATES
97-9191 BOLLING, MARK A. V. UNITED STATES

The petitions for writs of certiorari are denied.

- 97-1054 CHASE MANHATTAN BANK V. SAN FRANCISCO, CA, ET AL.

The petition for a writ of certiorari is denied.

Justice Stevens took no part in the consideration or decision of this petition.

- 97-1511 MOORE, DIR., SC DOC V. CUMMINGS, BEN, ETC.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

- 97-1706 AM LIFE & CASUALTY INS. CO. V. TROSTEL, ANNE, ET AL.

The petition for a writ of certiorari is denied.

Justice Breyer took no part in the consideration or decision of this petition.

- 97-1772 JONES, KARYN, ET VIR V. UNITED STATES

The motion of petitioner Karyn Jones to substitute Joy Elaine Jones in place of Chris Jones, deceased, is denied. The petition for a writ of certiorari is denied.

HABEAS CORPUS DENIED

- 97-9243 IN RE PHILLIP R. KEY

The petition for a writ of habeas corpus is denied.

MANDAMUS DENIED

- 97-1780 IN RE FOB JAMES, GOVERNOR OF ALABAMA, ET AL.
97-7869 IN RE HOLLI LUNDAHL
97-8258 IN RE HOLLI LUNDAHL

The petitions for writs of *mandamus* are denied.

REHEARINGS DENIED

- 97-1271 VISWANATHAN, TENKASI M. V. FAYETTEVILLE STATE UNIV.
97-1633 IN RE JAMES COSSETT, ETC.
97-7648 KING, KELJER V. JOHNSON, DIR., TX DCJ
97-7658 MARTINEZ, EMILIO H. V. JOHNSON, DIR., TX DCJ
97-7728 JARVI, RONALD V. MCCARTHY, BRIAN, ET AL.
97-7732 JACKSON, NAHSHON V. NEW YORK
97-7791 WALTON, PATRICIA E. V. PRINCETON BAPTIST MED. CENT.
97-7822 NARRON, KENNETH E. V. VANCE, CAROL, ET AL.
97-7861 TOEGEMANN, ARTHUR J. V. PROCHASKA, JAMES O., ET AL.
97-8046 HAYES, CLARENCE R. V. WESTERN WEIGHING, ETC.
97-8257 IN RE ANDREW J. JOHNSON
97-8285 SMITH, DANNY R. V. TEXAS
97-8541 IN RE FRANK C. VERBECK, JR.
97-8555 ZEREBNICK, KIMBERLY A. V. BECKWITH MACHINERY COMPANY
97-8596 SALAZAR, GUILLERMO A. V. UNITED STATES
97-8618 IN RE JOHNNY C. GREEN

The petitions for rehearing are denied.

- 97-1512 BANKHEAD, WILLIE V. MISSISSIPPI, ET AL.

The motion of petitioner for leave to proceed further *in forma pauperis* is granted. The petition for

rehearing is denied.

97-7049 MARTIN, DENVER A. V. UNITED STATES

The motion for leave to file a petition for rehearing is denied.

ATTORNEY DISCIPLINE

D-1891 IN THE MATTER OF DISBARMENT OF DONALD I. SINGER

Donald I. Singer, of Des Plaines, Illinois, having been suspended from the practice of law in this Court by order of January 12, 1998; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Donald I. Singer is disbarred from the practice of law in this Court.

D-1937 IN THE MATTER OF DISBARMENT OF WALTER BENJAMIN FEY

Walter Benjamin Fey, of Reno, Nevada, having been suspended from the practice of law in this Court by order of April 20, 1998; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and a response having been filed;

It is ordered that Walter Benjamin Fey is disbarred from the practice of law in this Court.

D-1967 IN THE MATTER OF DISBARMENT OF J. LARKIN PAHL

J. Larkin Pahl, of Raleigh, North Carolina, is suspended from the practice of law in this Court and a

rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1968 IN THE MATTER OF DISBARMENT OF MITCHELL W. HERZOG

Mitchell W. Herzog, of Eastsound, Washington, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1969 IN THE MATTER OF DISBARMENT OF STEVEN J. BARKIN

Steven J. Barkin, of Sherman Oaks, California, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1970 IN THE MATTER OF DISBARMENT OF PHILLIP KURTZ

Phillip Kurtz, of Euclid, Ohio, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1971 IN THE MATTER OF DISBARMENT OF PETER J. TOTH

Peter J. Toth, of Burlington, New Jersey, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

RECESS ORDER

The Court will take a recess from Monday, June 22, 1998, until Thursday, June 25, 1998.